

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

JACK ARGILA, in his fiduciary capacity as a Trustee for the POINTERS,
CLEANERS & CAULKERS WELFARE, PENSION & ANNUITY FUNDS, the
BRICKLAYERS JOINT APPRENTICE TRAINING FUND, the LABOR
MANAGEMENT FUND, and the PROMOTION FUND; and as President of the
BRICKLAYERS AND ALLIED CRAFTWORKERS LOCAL UNION NO. 1,
B.A.C.I.U., AFL-CIO; and the TRUSTEES of the BRICKLAYERS AND TROWEL
TRADES INTERNATIONAL PENSION FUND and the INTERNATIONAL
MASONRY INSTITUTE.

Plaintiff(s)

v.

P&K CONTRACTING, INC; RAJENDRA PATEL; PHILADELPHIA
INDEMNITY INSURANCE COMPANY; DOE GENERAL
CONTRACTOR; and DOE SURETY COMPANY,

Defendant(s)

Civil Action No. 23-CV-6725 OEM-TAM

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

SEE ATTACHED RIDER

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in **Fed. R. Civ. P. 12** (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Katherine M. Morgan, Esq.
Holm & O'Hara LLP
3 West 35th Street, 9th Floor
New York, NY 10001

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

BRENNA B. MAHONEY
CLERK OF COURT

s/ Kimberly Davis

Signature of Clerk or Deputy Clerk

Date: 09/13/2023



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PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____ .

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____ ; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____ , a person of suitable age and discretion who resides there,
 on *(date)* _____ , and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____ , who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____ ; or

☐ I returned the summons unexecuted because _____ ; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Print

Save As...

Reset

UNITED STATES DISTRICT COURT for the
EASTERN DISTRICT OF NEW YORK

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JACK ARGILA, in his fiduciary capacity as a Trustee for the :
POINTERS, CLEANERS & CAULKERS WELFARE, :
PENSION & ANNUITY FUNDS, the BRICKLAYERS JOINT :
APPRENTICE TRAINING FUND, the LABOR :
MANAGEMENT FUND, and the PROMOTION FUND; :
and as President of the BRICKLAYERS AND ALLIED :
CRAFTWORKERS LOCAL UNION NO. 1, B.A.C.I.U., :
AFL-CIO; and the TRUSTEES of the BRICKLAYERS AND :
TROWEL TRADES INTERNATIONAL PENSION FUND and :
the INTERNATIONAL MASONRY INSTITUTE, :

Plaintiffs, :

-against- :

P&K CONTRACTING, INC; RAJENDRA PATEL; :
PHILADELPHIA INDEMNITY INSURANCE COMPANY; :
DOE GENERAL CONTRACTOR; and DOE SURETY :
COMPANY :

Defendants. :
-----X

**RIDER TO
SUMMONS**

23-CV-6725

List of Defendants and Addresses

P&K Contracting, Inc.

1645 Jericho Turnpike, Suite B
New Hyde Park, NY 11040

Rajendra Patel

1645 Jericho Turnpike, Suite B and 199 Zabriskie Street
New Hyde Park, NY 11040 Jersey City, New Jersey 07307

Philadelphia Indemnity Insurance Company

One Bala Plaza, Suite 100
Bala Cynwyd, PA 19004